

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

Preliminary Matter

Pursuant to the previously filed Power of Attorney filed, Applicant has appointed Osha-Liang LLP to represent Applicant in this case. Accordingly, please change the attorney docket number to **09428/184001** and send future communications to the address associated with customer number 22511.

Disposition of Claims

Claims 1-27 and 29 are pending in this application. Claims 1, 12, and 21 are independent. The remaining claims depend, directly or indirectly, from claims 1, 12, and 21. New claims 30-32 have been added by this reply.

Rejection(s) under 35 U.S.C. §103

Claims 1-10, 12-19, and 23-26 stand rejected under 35 U.S.C. §103 as being unpatentable over U.S. Patent No. 6,778,523 ("Masilamany") in view of U.S. Patent No. 6,286,038 ("Reichmeyer"). The rejection is respectfully traversed.

"To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim

limitations.” (See MPEP §2143). The Applicant respectfully asserts that the cited references do not teach all the claimed limitations recited in the pending claims.

Specifically, the independent claims require, in part, that the first network host is connected to two *distinct* components: (i) a router and (ii) a data acquisition device. The Examiner has construed the Service Controller shown in Figure 1 of Masilamany to be equivalent to a first host in the first network (See Office Action mailed November 14, 2005, p. 3). Assuming *arguendo* that the service controller is equivalent to the first network host, there is no teaching or suggestion in Masilamany that the service controller is connected to or communicates with anything other than the routers in the system. (See Masilamany, Figure 1). In fact, the sole purpose of the service controller is to program the routers.

In contrast, the independent claims require that the first network host includes *dual* functionality, namely, functionality to communicate with a data acquisition device (*i.e.*, a device configured to acquire data) and functionality to program a router. Because the service controller in Masilamany is only connected to one or more routers and is limited to a single function (*i.e.*, programming routers) it cannot be construed to be equivalent to first network host.

Moreover, Reichmeyer does not teach that which Masilamany lacks. This is evidenced by the fact that Reichmeyer is only relied upon to teach “a first host connected to the first network, wherein the central configuration server resides on a host and constructs the configuration information.” (See Office Action mailed November 14, 2005, pp. 3-4)

In view of the above, neither Masilamany nor Reichmeyer, whether viewed separately or in combination, teach or suggest all the limitations of the independent claims. Thus, the independent claims are patentable over Masilamany and Reichmeyer. Dependent claims are patentable over Masilamany and Reichmeyer for at least the aforementioned independent claims. Accordingly, withdrawal of this rejection is respectfully requested.

Claim 29 stands rejected under 35 U.S.C. §103 as being unpatentable over Masilamany, Reichmeyer and U.S. Patent No. 6,298,057 (“Guy”). The rejection is respectfully traversed.

As discussed above, Masilamany and Reichmeyer, whether viewed separately or in combination, do not teach or suggest all the limitations of independent claim 21. Moreover, Guy does not teach that which Masilamany and Reichmeyer lack. This is evidenced by the fact that Guy is only relied upon to teach “forward error correction wherein error and status messages of the router are comprised.” (See Office Action mailed November 14, 2005, p. 7). Thus, neither Masilamany, Reichmeyer or Guy, whether viewed separately or in combination, teach or suggest all the limitations of the independent claim 21. Thus, independent claim 21 is patentable over Masilamany, Reichmeyer and Guy. Dependent claim 29, which depends from independent claim 21, is patentable over Masilamany, Reichmeyer and Guy for at least the same reasons as independent claim 21. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 11, 20, and 27 stand rejected under 35 U.S.C. §103 as being unpatentable over Masilamany, Reichmeyer and U.S. Patent No. 5,802,278 (“Isfled”). The rejection is respectfully traversed.

Claims 11 and 20 depend from independent claim 1, and claim 27 depends from independent claim 21. As discussed above, neither Masilamany nor Reichmeyer teach or suggest all the limitations of independent claims 1 and 21. Further, Isfled does not teach or suggest that which Masilamany and Reichmeyer lack. This is evidenced by the fact that Isfled is only relied upon to teach “configuring the router not to send address of nodes in the first network to other routers” (Office Action mailed November 14, 2005, p. 8). Thus, Masilamany, Reichmeyer, and Isfled, whether viewed separately or in combination, fail to teach or suggest all limitations of independent claim 1 or 21. Therefore, independent claims 1 and 21 are patentable over Masilamany, Reichmeyer, and Isfled. Dependent claims are patentable over Masilamany,

Reichmeyer, and Isfled for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

New Claims

Dependent claims 30-32 have been added by this reply. Support for all of the new dependent claims may be found, for example, in Figure 1 and paragraph [0036] of the instant application. The paragraph reference number corresponds to the paragraph in corresponding U.S. Patent Application Publication No. 2002/0065941. No new matter has been added by any of the new claims. Claim 30 depends from claim 1, claim 31 depends from claim 12, and claim 32 depends from claim 21. Accordingly, dependent claims 30-32 are patentable over the cited references for at least the same reasons as independent claims 1, 12, and 21.

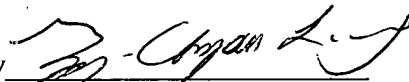
Further, none of the cited references teach or suggest a first network host configured to communicate with *both* a data acquisition device and a router, where the data acquisition device comprises a down-hole transmitter. In view of the above, a favorable action in the form of a notice of allowance is respectfully requested for the new dependent claims.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 09428/184001).

Dated: February 14, 2006

Respectfully submitted,

By 

T. Chyau Liang, Ph.D.

Registration No.: 48,885

OSHA · LIANG LLP

1221 McKinney St., Suite 2800

Houston, Texas 77010

(713) 228-8600

(713) 228-8778 (Fax)

Attorney for Applicant